

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

**VOICE SIGNAL TECHNOLOGIES, INC.'S MOTION TO STAY PROCEEDINGS ON
CLAIMS CONCERNING THE '966 PATENT
PENDING RE-EXAMINATION OF THE '966 PATENT**

Defendant Voice Signal Technologies, Inc. (“Voice Signal”) hereby moves to stay proceedings concerning the '966 patent pending resolution of the reexamination of the '966 patent.

As grounds for this Motion, Voice Signal states that the '966 patent is currently the subject of an *inter partes* reexamination procedure in the United States Patent and Trademark Office (the “USPTO”). In the Reexamination procedure, the USPTO has issued a thirty-three page first office action finding each of the six claims in Reexamination to be invalid, as they are anticipated by five separate prior art references. It is likely that the Reexamination will result in either an amendment or rejection of at least some of the claims of the '966 patent, therefore it would be waste of judicial resources to go forward with proceedings at this time. Further, even if the claims of '966 patent were confirmed by the Patent Office in their present form, the

statements made in the Reexamination may be used in this case and would likely materially affect what the parties are litigating and how it should be litigated.

The above-stated grounds for this motion are more particularly set forth in Voice Signal's Memorandum in support of its Motion to Stay Proceedings on Claims Concerning the '966 Patent Pending Re-Examination of the '966 Patent, filed herewith.

WHEREFORE, Voice Signal respectfully requests that this Court grant this Motion, and grant such further relief as this Court deems just and appropriate.

Respectfully submitted,

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Wendy S. Plotkin

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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for Voice Signal conferred telephonically with counsel for Nuance in an effort to resolve the issues presented in this motion and that the parties were unable to reach an agreement.

/s/ Wendy S. Plotkin

Wendy S. Plotkin

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 23, 2007.

/s/ Wendy S. Plotkin